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Attorneys for Defendant
WESTERN BULK CARRIERS KS

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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CENTAURI SHIPPING LTD.,	: 07 CIV 4761 (KMK)
Plaintiff,	: ECF CASE
- against -	:
WESTERN BULK CARRIERS KS, WESTERN	:
BULK CARRIERS AS, and WESTERN BULK AS,	:
Defendants.	:
-----X	

**ATTORNEY DECLARATION OF PATRICK F. LENNON
IN SUPPORT OF WESTERN BULK CARRIER K/S'S
MOTION TO VACATE MARITIME ATTACHMENT**

Patrick F. Lennon declares under penalty of perjury of the laws of the United States of America as follows:

1. I am an attorney admitted to practice before this Honorable Court and act as counsel for the Defendant herein, Western Bulk Carriers K/S ("WBC").
2. I submit this Declaration based on facts and information known to me personally, as well as documents and information provided to me by WBC and its representatives, all of which I believe to be true and accurate.

3. Plaintiff, Centauri Shipping Ltd. ("Centauri") commenced this action on June 5, 2007 claiming damages against WBC based on an alleged wrongful arrest of Centauri's vessel in Angola and seeking enforcement under international comity principles of a Judgment issued by the court in Angola. *See Plaintiff's Verified Complaint annexed hereto as Exhibit "1."*

4. Centauri also sought and obtained an Ex Parte Order for issuance of process of maritime attachment and garnishment ("PMAG").

5. Centauri's counsel submitted an Affidavit in support of Centauri's motion for an Ex Parte Order claiming that WBC could not be found within the Southern District of New York and that it could find no records with the New York Secretary of State, Department of Corporations relating to WBC. *See Affidavit annexed hereto as Exhibit "2."*

6. The Court issued the Ex Parte Order on June 5, 2007 in the sum of \$15,350,796. *See Ex Parte Order annexed hereto as Exhibit "3."*

7. Thereafter, Centuari proceeded to serve the PMAG on various garnishee banks within the Southern District of New York. Over the period of the next several days, various electronic funds transfers being routed through the garnishee banks, both those being paid by and to WBC, were attached pursuant to the Ex Parte Order and PMAG.

8. WBC then offered to provide a bond in as substitute security for the attachment of WBC's funds in the hands of the garnishee banks.

9. Despite Centauri's objection to certain plain language in the bond, ultimately at a hearing before the Court on June 15, 2007 the bond posted by WBC was accepted by Centauri. *See Bond annexed hereto as Exhibit "4."*

10. The Court then issued an Order vacating the attachment of funds in the hands of the garnishee banks. Subsequently, the garnishee banks released WBC's funds. *See Order annexed hereto as Exhibit "5."*

11. The bond issued by WBC was expressly conditioned to reserve all of WBC's rights, defenses and remedies. In particular, the bond states that it is issued: "without waiver or prejudice of any of WBC's rights including, but not limited to, Centauri's Complaint, the underlying claims discussed therein which are subject to an ongoing Angolan court proceeding [and] the right to assert any defenses or rights in respect of Centauri's attachment filed in this Court . . ." *See Bond annexed hereto as Exhibit "4."*

I declare under penalty of perjury of the laws of the United States of America that the foregoing is true and correct.

Executed on August 10, 2007

A handwritten signature in black ink, appearing to read "Patrick F. Lennon", written over a horizontal line.

PATRICK F. LENNON

AFFIRMATION OF SERVICE

I hereby certify that on August 10, 2007, a copy of the foregoing Attorney Declaration of Patrick F. Lennon was filed electronically and served by mail on anyone unable to accept electronic filing. Notice of this filing will be sent by e-mail to all parties by operation of the Court's electronic filing system or by mail to anyone unable to accept electronic filing. Parties may access this filing through the Court's CM/ECF system.


Patrick F. Lennon